G. R. S. IX-5]

Previous references.

7897 Vol-19

1897-98
~~191~~ .
(Municipal)

Later references.

File No. 7

Serial Nos. 20

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 20 — 23

~~Part~~ B for Dec. 03

SUBJECT.

Bye-laws of the Mysore City Mun

Indexed

Govt

Office of the ~~Dewan~~ of Mysore.

File N (if any)

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of

Office Note.

Branch Local Boards' Branch

Subject Letter no. 219 dated the 24th October '03 from the President of the Municipal Commission, Mysore City, regarding the refund of Octroi on cloths subsequently exported beyond Octroi limits.

The facts of the case that has come up for decision are briefly as follows:—

During the installation of His Highness the Maharaja one Doddasekhariya, a cloth merchant of the Mysore City, sent for some goods for Palace purposes in the months of August, September and October 1903 and paid the Octroi duty thereon. According to the merchant's statement the goods which were not utilized by the Palace authorities were returned on the

and despatched by him the very next days
For these goods, he claimed a refund of
Octroi re after a period of one month
from the date of import. The
President solicits instructions whether
the claim may be allowed under the
Octroi Bye-laws.

2. Rule 21 of the Octroi Bye-laws
authorizes a refund of
the duty at the rate originally charged
at the time of import " provided that
such goods are exported within six
months from the date on which Octroi
was levied " Hence the present claim
which was put forward within that period
is unobjectionable The bulky voluminous
correspondence is evidently due to a
misapprehension that the time allowed
under the Bye-laws for claiming a refund
of the duty is only one month.

Draft docket to President calling
for further explanation is submitted for
approval and orders.

10/11/03

† vide flags A & B
at 17 & 15 ante 17, 74-97

* vide flag A
at 17

In reply to this Office Docket,
No 1880 dt the 20th Nov 1903 calling
upon the President to submit a fur-
ther report as to why reference was
made to Government when the
refund claimed by Doddaseshayya
is within six months as required by
art 21 of the Octroi Bye-laws, and
why one month has been taken as
the maximum period allowed for
granting refunds, the President
reports, in his letter No 84 dt 27th
Nov 1903, that the refund claimed
by Doddaseshayya will be made, the
in the copy of Bye-laws published
in the Gazette the words 'one month'
originally entered were not corrected
into 'six months', that heretofore
the rule as erroneously published
was enforced, that necessary
corrections have been made, and
that it is not possible now to
take any notice of the mistake
as the then Vice-President Manager
and Accountant have been transfe
and the then Octroi Darogas have
retired.

Submitted,

26-10-03 1903-1904 8/18

From
M. Kantaraj Ars, Esquire, B.A.,
President, Local Fund Boards,
Mysore District,

To
H. V. Nanjundayyah, Esquire, Asst. to L.
Secretary to
the Government of Mysore,
Revenue and General departments,

Dated 26th October 03,

Despatched

Received

General No. 219
No.

Enclosure No. One file,

Regarding the supply of woods to the Palace department during the Installation of His Highness the Maharaja of Mysore, by the cloth-merchant Dodda Seshayya

17
26/10

No.

Enclosure No.

Mysore Deputy Commissioner's Office,
Local Funds Branch,
Dated 24th October 1903,

To

M. V. Narajundayyah. Esquire M.A.,M.L.,
Secretary to
the Government of Mysore,
Revenue and General departments,

Sir,

I have the honor to bring to your kind notice that during the Installation of His Highness the Maharaja of Mysore in August 1902, one Dodda Seshayya, a cloth-merchant, sent for some goods for the Palace purposes, and paid the octroi duty thereon. But according to the version of the merchant, it appears that the unsold goods were returned to him by the Palace authorities on the 6th November 1902 and despatched by him on the next day. The Palace Controller in reply to a question put by this office says that the records of his office do not contain an entry of the dates on which the goods were returned to the parties. Under these circumstances, I beg to know whether the refund of the amount on the goods on which octroi duty has been paid, and which have subsequently been exported outside the octroi limits may be ordered under the provisions of Bye-laws No. 21 approved of in Government Order No. 6856 / L.774-97 dated 16th November 1900. The Vernacular correspondence ending with the Mysore City Municipal Vice Presidents Yadi No. 383 dated 7th September 1903 is herewith submitted for perusal and obliging return when no longer required.

I have the honor to be,
Sir,
Your most obedient Servant

For President
Local Fund Boards,

Office Draft. (Docket.)

Mysore Government,
General & Revenue Secretariat.

Mun.
1897

The President of the
Municipal Commissioner
Mysore City

Date of passing the draft 17/11/03
Date of despatch 20/11/03

Regd No 1880
File No & date (if any) 74-97

No. of Encls one file of V. Papers

His letter no. 219 dated the 24th October 03 regarding the refund of octroi duty claimed by one Doddaseshaiya cloth merchant of the Mysore City.

With reference to the above I have the honour to observe that the octroi boundary in force at Mysore being the same as those of the Bangalore City Municipality, a refund of the duty can be granted under Rule 21 of the said bye-laws

duty has been paid are ex-
pected within six months
from the date on which
Oedroi was levied, and
that this period of six
months (and not one month)
has been clearly affirmed
by the President in his
Circ no 419 dated the 10th
December 1900. It is not,
therefore, ~~clear~~ clear
why one month has been
taken to be the maximum
period allowed for granting
refunds throughout the vernacular
correspondence and what
particular objection the
President has for granting
the refund claimed by Dodoo
Keshariya so far back as
Nov 1902, ie within 6 months
from the date on which Oedroi
was levied. Regret As therefore
that a further report may
be submitted in the matter. By order

Hq B

† [Herewith returned for resubmission]

& Why the previous reference is made to Govt.

17/11/03

Dr 10/03

1903-1904 22

No. C — Muni — 7 of 97 — No. 22

THE CITY MUNICIPAL OFFICE,
MYSORE.

Dated, the 27th November 1903

From

B. K. Venkatavaradaiyangar Esqr

PRESIDENT, CITY MUNICIPAL COMMISSION,
MYSORE.

To

H. V. Nanjundayyah Esquire
M A & M L
SECRETARY TO THE GOVT. OF MYSORE,
REV. & GEN. DEPTS.

Sir,

With reference to your docket no 1880 vide 21 / 3774-97 dated the 20th November 1903, regarding the refund of the octroi duty claimed by one Doddaseshiah, I have the honor to state that the refund claimed by Doddaseshiah will be made. I appose a printed copy of the Government notification publishing the Bye-laws regulating the levy of octroi duties. I beg to invite reference to para

of the said Bye-laws wherein the period within which refund is to be claimed, is fixed as one month from the date of payment. This notification is dated the 4th January 1901 in Government Proceedings no $\frac{8586}{x9749}$ of the same date, viz. the 4th January 1901, the Octroi Bye laws of the Bangalore Municipality were extended to this Municipality without any modification. This order seems to have been lost sight of and the necessary corrections in the printed copy not having been then made, the rule as published in the printed copy, was hitherto enforced.

2. The then Vice President, the Manager, and the Accountant having been transferred and the then Octroi Darogah having since been pensioned, is not possible now to do anything but express regret for the mistake

3. The necessary corrections are now been made the very regular papers

papers sent with your docket under
reply are retained in this office

I have the honor to be,
Sir,
your most obedient Servant,

President of the
City municipality under

30 MS

4204

1903.

From

B. N. Venkatavarada Iyengar Esqr

PRESIDENT, CITY MUNICIPAL,
COMMISSION,
MYSORE.

Ack 24 Nov 03 31/12/03

To

A. V. Narayanaswamy Esqr
M A, Mad

SECRETARY TO THE GOVT. OF MYSORE.
REV. & GEN. DEPTS.

Dated
Despatched } 27th November 1903
Received

General No. 84
No.

Enclosure No. one -

Submitting report regarding the refund of Retnoi due claimed by one Dodda-Seshiah.

97

97

31/12/03

MGCPB—2,000—6-7-02.

Note Contd
H.V.K
Ajgs.

Mund
7 of 97
23

Read -

Correspondence ending with letter No 2411, the 27th Nov 1903 from the President of the Mysore City, reporting that in para 21 of the Police Leg. leave the words 'one month' originally entered were not by an oversight corrected into 'six months' that hence the rule as erroneously published has enforced, that the necessary corrections have been made and that the refund claimed by Dadiseshayya will be made

Order thereon No 2466
2473/47
D 31/12/03

Recorded